

to the Santa Cruz campus offers the opportunity to establish the University of California system's first PhD level fisheries curriculum. Bringing Tiburon scientists to the Monterey Bay area offers the almost unlimited potential of Federal, State, and private sector collaborative research, a potential that is not even conceivable in most other places in the U.S. or in the world.

Within the NMFS, the relocation of the Tiburon research group remains a top priority. NMFS views the project not as a replacement but as a consolidation initiative consistent with the recent Congressional guidance calling for a NOAA consolidation study. NMFS desperately needs a state-of-the-art research facility in the central California area to maintain and enhance its research activities along the central coast and in the San Francisco Bay area. If Tiburon were to be closed and staff assigned to other NOAA facilities, NMFS would have no research facility between La Jolla, California and Newport, Oregon, a distance of over 1000 miles and an area of critical marine resource problems.

NOAA and the Department of Commerce (DOC) also consider the relocation of the Tiburon research group to Santa Cruz a top priority. Last fall the DOC Deputy Secretary David Barram publicly announced the plan to relocate Tiburon to Santa Cruz. NOAA followed up by setting aside virtually all discretionary funding in the FY 1995 NOAA Construction Account (approximately \$10.1 million) for the Tiburon relocation project. When rescission of these funds was proposed, I did not object because it is my understanding that the rescission would not impact, or delay, the project in FY 1995 since sufficient funds would remain to carry out all planned FY 1995 activities, and there was an agreement that the rescinded construction funds would be restored in the FY 1996 appropriations process.

It is critically important to get additional funds for land acquisition and construction in FY 1996. The best current estimates indicate that \$10 million is required in FY 1996 for land acquisition and to enable construction to go forward. Even in this budget cutting climate, I believe an investment of \$10 million in FY 1996 for a modern, consolidated research facility that ensures wise and sustainable use of California's valuable fishery resources is well justified.

Given that it has not been possible to provide for the full \$10 million in FY 1996, I would like to thank the Senator for agreeing to assist me in securing a placeholder amount of dollars in Conference, to the NMFS Construction account in FY 1996, and for agreeing to the extent possible that these dollars will not impact NOAA's budget. I would also like to thank the Senator for agreeing to make every effort to add report language in Conference giving the go-ahead on expenditure of the appropriated Architecture and Engineering funds.

Mr. HATFIELD. We will make every effort to see that this is done in conference.

Mrs. BOXER. I thank the Chairman very much for his help on this important issue.

AMERICAN INSTITUTE OF INDIAN STUDIES

Mr. MOYNIHAN. I rise to stress the importance of continued active participation in the American Institute of Indian Studies (AIIS). AIIS is the pre-eminent organization funding U.S. scholarship in India. This program operates in conjunction with the Council of American Overseas Research Centers, and is affiliated with Universities across the country.

Is the distinguished Senator from South Carolina aware of the participation of researchers from the University of South Carolina in AIIS?

Mr. HOLLINGS. I thank the Senator for raising this issue and for noting the participation of the University of South Carolina in the program.

Mr. MOYNIHAN. I say to my two colleagues that in 1974 President Nixon asked me to go to New Delhi as Ambassador in his second. At that time relations between our two nations were somewhat strained. The two largest democracies in the world should not have strained relations, but we have experienced such periods in the half-century since independence. One thing that I have noticed as a longtime follower of U.S.-India relations has been that when official contacts between our countries cool, citizen to citizen contacts have successfully carried the weight of the relationship. I would say to my two friends that AIIS is an organization which has played such a role in our relations with India.

Mr. HOLLINGS. I do not disagree that well run exchange programs can help improve relations between our countries.

Mr. MOYNIHAN. I am concerned that the level of funding in the bill for international educational exchanges will seriously impinge on the ability of AIIS to adequately fill the research demands of U.S. scholars in India. I would therefore seek assurance from the Chairman and Ranking Member of the Subcommittee that the statement of managers for the Conference Report of this Bill contain mention of the merits of AIIS and the importance of continued funding for the organization.

Mr. GRAMM. I understand the concerns of the Senator from New York and I will seek to address them in the Conference Report.

Mr. HOLLINGS. The Senator raises an important point and I will be sure that his views are raised at the conference.

Mr. Moynihan. I thank my colleagues for their assistance.

INTERNATIONAL TRADE ADMINISTRATION AND BUREAU OF EXPORT ADMINISTRATION

Mr. HOLLINGS. Mr. President, I would like to comment on the impor-

tance of the amendment offered yesterday by the Senator from Oregon, Senator HATFIELD, and myself in terms of its impact on the trade related functions of the Department of Commerce.

Mr. President, over the past few years, Members of the Congress have been deeply divided on certain trade issues such as NAFTA, GATT, and Fast Track. However, almost all the members of Congress agree that there are certain fundamental jobs that the Federal Government must perform to facilitate international trade and to ensure that U.S. companies are competitive in the global marketplace.

We must enforce our trade laws so that U.S. jobs are not lost to foreign competitors who are subsidized by their governments, or who engage in predatory practices.

We must monitor and enforce our trade agreements with other countries.

We must produce detailed industrial sector analysis so that both businesses and the government can make sound policy decisions.

The International Trade Administration within the Department of Commerce is the nerve center of all these activities.

The Committee reported bill gutted our International Trade Administration. It cut the agency \$46.5 million below the fiscal year 1995 level and below the level set by the Contract for America House. The Committee report provided no details on how such a large reduction would actually be apportioned within ITA. What Senator HATFIELD and I and others did yesterday was to bring the ITA back to a freeze. This was a bipartisan amendment. And, I should note, support for ITA has always been bipartisan.

Mr. President, the ITA is made up of four separate agencies:

First; the United States Foreign and Commercial Service.

The Foreign Commercial Service officers are our advocates overseas. They operate offices in 69 countries and they have a network of 73 offices across America. Overseas, they serve directly under our Ambassadors. Our Foreign Commercial Officers are the folks who hustle to ensure that U.S. firms get fair treatment while competing for foreign contracts, and who help small- to medium-sized U.S. companies work through the maze of foreign regulations and other barriers. They enable U.S. businesses to gain access to their worldwide network overseas, and they provide information to business owners concerning various foreign markets. During the past few years, these centers have been collocated with personnel from the Small Business Administration and the Export Import Bank.

Second; trade development.

The Trade Development section of ITA provides analysis and information

on industry sectors. It monitors, analyzes, and provides information on hundreds of industries, from the most basic to the emerging high-technology industries. This expertise, which is found nowhere else, inside or outside the Federal Government—is essential to getting U.S. goods and services into foreign markets. The expertise at Trade Development is also critical to the negotiation and enforcement of international trade agreements.

Third; the International Economic Policy Office.

The International Economic Policy office is responsible for trade policy development and trade negotiations. IEP operates regional and country desks. It monitors foreign compliance with bilateral and multilateral trade agreements and intellectual property rights.

Fourth; the Import Administration.

The Import Administration is responsible for carrying out U.S. anti-dumping and countervailing duty laws to provide remedies for U.S. businesses injured by unfair competition. The Import Administration also participates in negotiations to promote fair trade in specific sectors such as steel, aircraft, and shipbuilding.

Mr. President, in 1995, the United States will post a record trade deficit. And since March, the U.S. has lost 188,000 manufacturing jobs. The proposed a \$46.5 million cut to the ITA would only add to the deterioration in our balance of trade and the loss of good jobs.

Virtually every industrial nation of the world provides support for exports. To compete, America must do the same. Recognizing this, we have been trying to beef up export promotion, first with the support of President Bush and now with the support of President Clinton. Why? Because at the levels we are now spending, we are way behind the Japanese, Germans, French, and British. We spend less and have less people advancing and advocating U.S. exports than do any of these other competitors.

ITA's export promotion programs return \$10.40 to the Treasury for every dollar invested in export promotion. And over the past 2 years, ITA, through its new Advocacy Center, has been cranked up as never before and has helped American companies sell over \$24 billion in American goods and services. Through its Big Emerging Markets initiative, ITA has worked hand in hand with the private sector in accessing new markets. And through its toll-free number (1-800-USA-TRADE), ITA has responded to about 60,000 calls per year for export assistance—90 percent from small businesses.

The Committee reported bill would have seriously hindered our efforts to promote U.S. exports. The Foreign Commercial Service would have been forced to close offices in States with lower volume of exports, such as Alabama, Alaska, Arizona, Arkansas, Hawaii, Idaho, Iowa, Kansas, Kentucky, Maine, Mississippi, Nebraska, Nevada,

New Hampshire, New Mexico, Oklahoma, Rhode Island, South Dakota, South Carolina, Utah, Vermont, and West Virginia.

If we had allowed the cut to stand, we would have rolled back the progress that we have made overseas in the last few years. Namely, we would have had to close our new offices in Eastern Europe and in the Newly Independent States that formerly made up the Soviet Union. The Big Emerging Markets initiative would have been terminated, surrendering growing markets to the French and Japanese in such markets as China, Vietnam, Argentina, and India. I say to my colleagues, go to these countries and look at what our competitors are doing.

In the area of trade negotiations, the proposed reduction would have debilitated our trade negotiators. ITA, and principally its Trade Development Office, serves as staff to the U.S. Trade Representative, and often the ITA itself takes the lead in trade talks. We cannot cut off this critical support at the very time that multilateral and bilateral trade issues with Japan, Europe, Asia, and the Western Hemisphere require increased attention. Absent the Hatfield-Hollings amendment, analytical support and marketing assistance from industry specialists would have been reduced by at least 25 percent under the Committee reported mark, and desk coverage of some thirty countries would have ceased.

Cutting ITA would also cripple our ability to monitor and enforce existing trade agreements. For example, the ITA is the lead agency in monitoring the recently completed U.S.-Japan auto parts agreement and the Medical Technology Agreement with Japan.

Finally, and of greatest concern to me, is the Import Administration's ability to fulfill statutory obligations. We must not undermine the effectiveness of U.S. antidumping and countervailing duty laws. We must provide ITA with adequate resources to verify foreign producer data, which is so essential to determining whether dumping or foreign subsidies exist. Scaling back the Import Administration only means that foreign producers will find it easier to evade import orders, leading directly to a loss of U.S. jobs.

Mr. President, the amendment passed last night also provides \$8.1 million to the Bureau of Export Administration, or BXA, to restore that agency back to a freeze and to the House-passed level. BXA performs the essential task of processing export license applications and enforcing our Nation's export control laws. BXA, in essence, is the cop on the international beat who keeps critical technologies out of the hands of bad actors. As one BXA official noted, "If you wake up and the bomb hasn't been detonated, we've done our job."

The 21 percent cut to BXA in the Committee-reported bill would have thrown the brakes on BXA's timely and efficient operation of its mission. Such

a large cut would endanger our national security by gutting enforcement and hurt U.S. exporters by slowing down the licensing process.

Specifically, BXA's capacity to investigate national security and non-proliferation cases would have been cut in half, down from 1600 cases per year to 800 cases. The cut would also have forced BXA to close five of its regional enforcement offices, including those in northern California, the Northwest, the upper Midwest, and the middle Atlantic regions. In addition, BXA would not have had the resources necessary to fully monitor antiboycott regulations such as the regulations to prevent U.S. companies from cooperating with the Arab League boycott of Israel.

Unnecessary delays in export licensing means that U.S. businesses lose out on sales to foreign competitors. Members of Congress should remember that BXA already took a hefty budget cut in the 1990's, shrinking from over 500 employees down to its current level of 321. BXA has to walk the fine line between promoting U.S. exports and keeping critical technologies out of the hands of mad men. Any further cuts would jeopardize our national security and would lead to unnecessary loss of U.S. jobs.

Mr. President, during debate on the future of the Commerce Department, U.S. businesses have unanimously supported the trade functions performed by the Department. While some business groups favor the establishment of a new international trade agency, they have made clear that the new agency should continue the jobs done now by ITA and BXA.

While their views differ on where the trade functions should be housed, the following business organizations are among those who have expressed strong support for the trade-related activities of the Commerce Department: the U.S. Chamber of Commerce, the National Association of Manufacturers, the American Electronics Association, the Electronics Industries Association, the Aerospace Industries Association, the American Automobile Manufacturers Association, the RECORDING Industry Association of America, the Semiconductor Industry Association, and the Automotive Parts and Accessories Association.

In this era of economic competition, the Commerce Department is the "arsenal" of business. As long as Americans engage in world commerce, we need a Department of Commerce to help level the playing field for these American industries and workers, to give them a fair chance to compete in a world dominated by large foreign companies backed by the full resources of their governments. The Senate made a wise decision last night in restoring the funds to the International Trade Administration and the Bureau of Export Administration.

INTERNATIONAL TRADE ASSOCIATION

Mr. THURMOND. I would like to ask the distinguished sponsor of this

amendment, Senator HOLLINGS from South Carolina, if he would yield for a question.

Mr. HOLLINGS. I yield to the distinguished Senator from South Carolina.

Mr. THURMOND. The amendment offered last night by the Senator from Oregon and the Senator from South Carolina restores funding for a very important part of the Department of Commerce, the International Trade Administration. The International Trade Administration houses many critical programs that are vital to U.S. companies in the field of global trade and competitiveness. Some of the programs that are of greatest concern to me at the International Trade Administration are those administered by the Office of Textiles & Apparel, including the Textile Clothing Technology Corporation program, known as (TC)2 and the National Textile Center. Am I correct in stating that one of the intentions of this amendment is to ensure that all the existing functions at the Office of Textiles & Apparel, including the operation of the Committee for the Implementation of Textile Agreements, as well as (TC)2 and the National Textile Center, will continue to be funded in FY 1996 at current year levels?

Mr. HOLLINGS. I appreciate the inquiry regarding the textile programs from my colleague from South Carolina. I concur that those programs are critical to the stability and competitiveness of the nearly 2 million U.S. textile and apparel workers nationwide, and I agree that one of the purposes of this amendment is to continue funding the Office of Textiles and Apparel and its specific research programs at the current levels. From their inception, I have supported these programs, which are excellent examples of public-private partnerships which have resulted in tangible improvements in technology for the U.S. textile and apparel industries.

Mr. THURMOND. I thank my distinguished colleague from South Carolina.

CLARIFICATION OF SENATE REPORT LANGUAGE

Mr. DOMENICI. Mr. President, I would like to clarify an issue in this legislation regarding an apparent inconsistency contained in the Report accompanying this bill. The bill contains significant reductions in the Account for International Organizations within the Department of State. The Administration requested over \$923 million for the next fiscal year for the ICE account; this bill reduces that account to \$550 million. When the Report was filed, language was included that identified eight international organizations to be zeroed out in the next fiscal year. The Report specifically references that this action is consistent with S. 908, the Foreign Affairs Revitalization Act of 1995, as reported out of the Foreign Relations Committee. However, one of the eight organizations listed—the International Copper Study Group—was actually not part of S. 908. The other seven organizations were.

The International Copper Study Group has brought representatives of the copper-producing countries together to develop statistical information to better understand the international copper market. In the process, the former eastern block countries are being brought into the mainstream, providing the international community with a much greater understanding of a region that is a major participant in the world copper market. I sponsored the legislation that created the Copper Study Group and know that this information is vital. Last year, the funding of the Group was a mere \$65,000. That seems like a small investment for the development, in a cooperative fashion, of such vital information.

Mr. President, I hope that the conferees on the bill will review and correct the matter of the listing of the International Copper Study Group in the report because it is not addressed in S. 908 as the Committee report would indicate.

AMENDMENT NO. 2814

Mr. WELLSTONE. Mr. President, I would like to clarify a matter regarding the Hatfield amendment number 2814 that passed by voice vote. The amendment contained a total of \$30,000,000 in additional funds for the Small Business Administration. Am I correct in my understanding that this amount includes approximately \$15 million for the administration of business loan programs, \$1 million for direct loans in the Microloan Program, and nearly \$14 million for salaries and expenses.

Mr. HATFIELD. The Senator is correct, that was the effect and the intention of my amendment.

Mr. WELLSTONE. I thank the Senator, and I further note that, with the increased funding in the bill for salaries and expenses, a more adequate amount should be available for Microloan Technical Assistance grants that was envisioned when the Committee wrote its report, and that the amount should be increased commensurate with the new funding in the bill for salaries and expenses to ensure that the crucial technical assistance portion of the Microloan program is adequately funded. I note that every hearing we have conducted in the Small Business Committee concerning the Microloan program has emphasized the importance of technical assistance.

Mr. BUMPERS. As Ranking Minority Member of the Small Business Committee, I join with the Senator from Minnesota in support of the crucial importance of the Microloan Program and the technical assistance portion of that program. I think the Chairman for his clarification.

Mr. BOND. Mr. President, as Chairman of the Committee on Small Business, I would like to confirm our understanding that the additional funding made available to SBA is intended to reduce the impact of SBA's cost of funding staff reductions and terminations contemplated under the Com-

mittee amendment. A sufficient amount of the additional funding under the Hatfield amendment should be used by SBA to pay these termination costs so the agency can get to a level of FTE's likely to be sustainable next year and thereafter with the further appropriations reductions expected as we move towards a balanced budget. I do not object to the SBA having reasonable managerial discretion on certain items and programs, including those mentioned by my colleagues. But it is our clear intention, is it not, Senator HATFIELD, that funding of these first year termination costs should be taken care of as a priority item for SBA, along with assuring adequate loan administration funding for the volume of the loan programs?

Mr. HATFIELD. The Senator is correct, that was the effect and the intention of my amendment.

Mr. BOND. I thank the Senator, and I appreciate the work of the Chairman in recognizing the importance of small business and entrepreneurship in our country, while responding to the wishes of many Americans, including small business owners, that we make the tough decisions required to balance the budget.

AMENDMENT NO. 2815

Mr. GRASSLEY. I want to thank the distinguished Senator from Texas for taking such strong leadership and making tough choices to help balance the budget and streamline government. But I would like to clarify an important point regarding the authority of the judiciary to expend funds to conduct so-called gender and racial bias studies under HR 2076. Although the Judiciary requested a specific line item in the appropriations legislation for the coming fiscal year to support such studies, no such line item has been included in HR 2076. Furthermore, in the chairman's mark, approximately \$700,000 was removed from the Crime Trust Fund from which the race-gender bias studies could be conducted. Am I correct that these actions indicate an intent on the part of the Appropriations Committee not to fund race-gender bias studies?

Mr. GRAMM. I appreciate those kind words. I would only say that the Senator's interpretation of these removals is correct. It was the intent of the Committee to clearly indicate that no funds have been appropriated for race-gender bias studies.

Mr. HATCH. I concur in Senator GRASSLEY's analysis of the actions taken by the Appropriations Committee regarding race and gender bias studies. I rise to add that these studies have been ill-conceived, deeply flawed and divisive. In my view, they threaten the independence of the Federal judiciary. In the D.C. Circuit, for instance, the gender bias study was so controversial, and so poorly carried out, that a majority of judges on the D.C. Circuit have formally disavowed the study.

Professor Stephen Thernstrom of Harvard University has investigated these studies and found them to be methodologically biased and flawed. There are to be no funds expended on these studies in the future.

Mr. GRASSLEY. I thank the Senator for clarifying this matter. As Chairman of the Subcommittee on Administrative Oversight and the Courts, I believe that the choices you have made clearly indicate that no bias studies can be supported by Federal funds. I would also like to thank the distinguished Chairman of the Judiciary Committee for his cogent observations on the nature of the race-gender bias studies.

AMENDMENT NO. 2816

Mr. BROWN. I want to congratulate Senator McCain for pursuing the laudable goal of maximizing revenues for the Treasury. I asked for this modification to ensure that Senator McCain's objective is achieved without undue interference with or micro-management of pending Federal Communications Commission proceedings.

The FCC is currently considering an appeal from a decision of its international bureau which denies the request for an extension of the DBS permit held by Advanced Communications Corp. Before the full commission is a proposal which would grant an extension of the permit, subject to the condition that it be assigned to TEMPO DBS, Inc., for use by PRIMESTAR Partners, L.P., which would provide the first competitive high power DBS service.

In addition, the proposed FCC decision would require TEMPO to relinquish its permits for 11 channels at 119°W, 11 channels at 168°W, and 24 channels at 148°W. The decision would also require TEMPO to pay an amount to the Treasury for the 27 channels equal to their fair auction value. Since the FCC compromise could result in payment for 73 channels, in contrast to the 27 channels affected by the McCain Amendment, the FCC approach has the potential to yield greater revenues for the Treasury.

The term "adjudication," which is inherently broad in the regulatory context, is used to encompass the current proceedings at the Federal Communications Commission.

AMENDMENT NO. 2842

Mr. McCain. Mr. President, I voted in favor of the amendment offered by the Senator from New Hampshire, Senator Gregg, but I had reservations about doing so. I have long been troubled by the frequent encroachment of the Congress on the President's authority as Commander in Chief. Had this amendment the force of law I would have opposed it without hesitation.

I also share the concerns of some Senators that the amendment might have an adverse affect on the current negotiations to conclude a peace agreement in Bosnia. I am not as certain as others that this peace agreement, as the probable outlines of that agreement have been explained to me, will

achieve a stable resolution of the conflict. However, I think Congress should be reluctant to intrude itself in these difficult negotiations. Let us reserve our judgment until we see what the final product looks like.

Nevertheless, it is clear that this sense of the Senate amendment does not bind the administration to take any action, and should not, therefore, influence the deliberations of any party involved in the peace negotiations.

I should add that my reservations about the amendment are not nearly as serious or as troubling as my reservations about deploying American troops to Bosnia. While I am not prepared to say that the President is obliged to seek congressional authorization for deploying American troops to Bosnia, it would be a profoundly unwise course for him to take without such authorization.

The American people are about to be asked to send as many as 25,000 of their sons and daughters to a very dangerous place. Some of them will not return. That is a sad, but certain fact, Mr. President. The President should want the advice and the support of Congress before he undertakes an initiative as fraught with danger for American troops, for the Atlantic alliance and for is presidency as is his anticipated deployment of American troops in Bosnia.

I cannot tell the President he must seek our support, but I can tell him—in the strongest possible terms—that he should. And when and if he does seek our support he will have some very grave questions to answer. And unless those questions—which will be elaborated in detail in the coming weeks—can be answered fully, and to the satisfaction of a majority of the U.S. Congress and the American people, he should not send a single soldier to Bosnia.

Mr. SARBANES. Mr. President, I rise in strong opposition to the Commerce, Justice, and State Department appropriations bill before the Senate today. This measure eliminates or cuts many programs which help to preserve our natural resource base, promote economic and business development, invest in research and development and protect American consumers. In my view, it fails to provide the resources necessary to meet our National priorities and to enable federal agencies to fulfill their important missions. I want to point out just a few examples where the measure is particularly inadequate, unfair and unbalanced.

First, the bill cuts the Economic Development Administration by \$310 million—or 75 percent—below the current funding level and 71 percent below the level recommended by the House. The proposed appropriation would cripple EDA's ability to continue helping communities in Maryland and other States throughout the Nation adjust to severe jobs losses and economic dislocations such as the recent round of base clo-

tures, build public facilities essential to commercial and industrial growth, and plan and implement comprehensive economic development programs. In Maryland alone, the agency has pumped \$151 million into the economy over the past 30 years, creating thousands of jobs, stimulating local growth and generating revenues from the eastern shore to Western Maryland. Moreover, it is estimated that each EDA dollar invested has generated more than \$3 in outside investment. The cuts contained in this bill will deprive our communities and business of this investment potential, and in the long run will exact a painful cost in lost growth and opportunity.

Second, the bill cuts the budget of the National Institute of Standards and Technology [NIST] by \$377 million—or more than 50 percent—below current funding levels, and \$80.8 million below the level recommended by the House. It drastically reduces—by over 80 percent—NIST's industrial technology services which help develop and commercialize high risk technologies. It also rescinds \$153 million in funding appropriated in previous years for the comprehensive, multi-year effort to modernize NIST's laboratory facilities in Gaithersburg and Boulder, CO. These cuts would essentially eliminate all currently planned and future upgrades and construction for NIST laboratory facilities and severely impact upon the agency's ability to perform its important mission. Reports issued by the General Accounting Office, the National Research Council and others over the past five years have identified an urgent need for repairs and upgrades of NIST's 35 year old lab facilities to meet the measurements and standards requirements of the 21st century. John W. Lyons, the former Director of NIST, perhaps said it best in an April 28, 1992, letter to the Washington Post, laboratory facilities are the infrastructure—the roads and bridges—of science and technology. Funding for science without funding for facilities is a losing game.

Third, while the measure is a vast improvement over the House-recommended funding levels for NOAA, it still cuts the agency's funding by \$230 million below the administration's budget request and some \$45 million below current levels. It does not provide the resources necessary to meet all the statutory requirements of the Marine Mammal Act or for living marine resources research and protection programs. It cuts NOAA's Chesapeake Bay Program by \$390,000 and provides no funding for oyster disease research in Chesapeake Bay—programs which are essential to the efforts to restore the vitality of the Bay.

Mr. President, it is my intention to vote against this bill and I hope my colleagues will join in rejecting this measure and sending it back to committee for substantial rewriting and re-ordering of priorities.

POST-CONVICTION DEFENDER ORGANIZATIONS

Mr. FEINGOLD. Mr. President, I am deeply concerned about and oppose elimination of the Post-Conviction Defender Organizations.

This debate is not, as some would have you believe, about the death penalty. It is about common sense and fiscal responsibility.

The benefits of eliminating these centers are allegedly two-fold; one, it will save taxpayers \$20 million and two, it will speed up executions by eliminating lawyers who, under the guise of providing effective counsel to men sentenced to death, allegedly work only to delay executions.

While these arguments may, on the surface, be appealing to some, they are both inherently flawed. Elimination of these centers will do nothing to expedite the rate of executions in this Nation, nor will the American taxpayers save any money whatsoever.

In fact, the costs of providing these services will increase if these centers are eliminated.

Chief Judge Richard Arnold, of the U.S. Court of Appeals for the Eighth Circuit and chair of the budget committee of the U.S. Judicial Conference has testified before Congress that these centers are the most economical method of providing these essential services.

The attorneys who presently work in the 20 post-conviction defender centers across this Nation do so at substantially less pay per hour than their counterparts in private practice will require to take their place.

Resource center attorneys receive \$55 an hour while court-appointed lawyers receive an average hourly rate of \$138 an hour. Therefore, private attorneys will increase the costs of these services even if they work exactly the same amount of hours as the current resource center attorneys. However, this is highly unlikely.

The complexity of these cases requires highly specialized skills which, frankly, you will not find in an attorney who does not devote their full-time practice to this area of the law.

Therefore, not only will we be paying private lawyers more per hour, they will have to work additional hours just to get up to the speed of the attorneys who will be displaced when the centers are eliminated.

GAO has reported that the cost of representing men on death row was nearly \$20,000 more when a private attorney was used as opposed to a lawyer from the resource centers.

We will be paying private attorneys at a higher rate to work longer hours. This is hardly the formula for saving taxpayer dollars.

Furthermore, under the present system, private attorneys are often assisted by resource center lawyers in preparation for handling these complex cases.

The ability to attract private attorneys to handle these cases cannot conceivably be enhanced by removing the support these resource center lawyers offer.

In short Mr. President, the alleged savings of roughly \$20 million will quickly be consumed by the increased cost of attaining private representation.

Furthermore, the argument that eliminating these centers will expedite the imposition of the death penalty is equally without merit.

Our system of justice calls for representation of those sentenced to death. In the absence of this representation, the system is delayed—it does not move ahead.

As was reported recently in the National Law Journal, these centers:

Came about precisely because delays in finding lawyers for post-conviction appeals delayed executions. Cases could not proceed unless the condemned had representation.

The simple fact of the matter is that it will not be possible to find enough attorneys to handle the post-conviction caseload particularly when one considers the fact that the caseload will increase in coming years rather than decrease. In fact, since these centers were created in 1988, 900 men have been placed on death row.

To suggest that the private sector can fill the void resource center attorneys will leave overlooks the practical realities of what this litigation involves.

Eliminating these centers will not expedite the appeals process nor will it expedite imposition of the death penalty.

Although critics may argue that these resource centers slow the process, the simple fact is that the delays will be worse if these centers are eliminated.

Furthermore, there is also a larger issue. The credibility of our system of criminal justice is imperilled when we apply the sanction of death but at the same time fail to provide adequate representation to those condemned.

Regardless of our respective views on the appropriateness or effectiveness of the death penalty, we should all be offended by even the possibility that death would be administered in anything less than a fair and equitable manner.

Many of the so-called habeas corpus reforms which were pushed through this body earlier this year are predicated upon the presence of competent counsel.

The attorneys who work at the post conviction resource centers embody the competence that our system of justice requires.

The post conviction resource centers provide a vital service and they do so at the most efficient level.

If my colleagues look closely at the practical effects the committee language will have, not only on the efficient administration of justice, but also on the costs that taxpayers will incur, they will see that this effort will not achieve either of its stated goals.

The committee language is ill-conceived and misguided. It will attain neither of its stated goals. We should

not eliminate these centers based on a specious premise.

Acting attorney general of Pennsylvania, Walter Cohen recently stated that if these centers are eliminated it will:

*** Take away the capability of the system to provide adequate counsel to death row defendants *** You're not going to have the death penalty carried out. This is one of those cases where Members of Congress can talk tough but end up with a very weak result.

Mr. President, we should avoid such a result, and retain the post-conviction defender organizations.

Mr. KOHL. Mr. President, if anyone wonders why people do not trust Congress, an answer lies in what we have done with the crime issue. What Congress is doing, Mr. President, is worse than nothing. Congress is, in fact, breaking a public promise to the American people.

One year ago last week, the President signed into law a tough, balanced, bipartisan crime bill after years of political infighting. That bill devoted 80 percent of its resources to punishment and 20 percent to prevention, and it reflected a mainstream consensus.

Democrats and Republicans agreed that we need to put more police officers on America's streets.

Democrats and Republicans agreed that we need to build more prisons to house violent criminals.

Democrats and Republicans agreed on the importance of prevention efforts targeted toward at-risk youth.

And Democrats and Republicans agreed that all of this would be financed from a trust fund that dedicated money saved through reductions in Federal personnel.

In just 1 year after that public agreement, the COPS Program has funded more than 25,000 police officers who go after crime where it happens—on our streets. More than 200 communities in Wisconsin alone have received funding and the COPS Program has enjoyed overwhelming bipartisan support among law enforcement in my home State.

But do not take my word for it, Mr. President, ask the police chiefs and sheriff's—mostly Republican—who apply for these grants. My office surveyed these front-line people, and found that 85 percent of Wisconsin law enforcement officers support last year's crime bill. Moreover, almost 80 percent specifically support maintaining the current COPS Program, and oppose turning it into a block grant. This support comes through loud and clear throughout the State. In the words of one Wisconsin police chief:

This is the first time in my 17 year career that I have seen the Federal Government put together a program that helped small police agencies that did not bury the department in paper work, and had a reasonable turn around period. We have already hired an officer under this program and the results are very noticeable. Our community is glad to have the increased police services and at a cost they can afford.

And this kind of effectiveness has been amazingly inexpensive—less than 1 percent of all COPS funds are spent on administration. How many other organizations—whether public or private—can say that?

And what will happen to this effective and efficient program under the downsized block grant of this appropriations bill? The numbers tell the sad truth:

When State and local matching funds are not spent on cops—but on anything any Governor could arguably label a basic law enforcement function—fewer cops will patrol our streets.

When \$200 million is slashed from Federal funding for police officers, fewer cops will patrol our streets.

And when the 14,000 communities that have applied for grants must start over—competing with every imaginable basic law enforcement function—fewer cops will patrol our streets.

Fewer cops on the street—that is not what we promised last year, and it is not what most Americans want. That is why more than three-quarters of the mostly Republican law enforcement officials in my State oppose block granting and want us to preserve the COPS Program.

Mr. President, Americans have every right to feel cheated if this Congress becomes absorbed in Presidential politics and ignores its commitment to safety for the sake of a soundbite. Giving our citizens fewer cops to fight a growing crime problem is not only bad policy—it is also bad politics. Because ultimately our Government depends on the faith of its citizens for support. Reversing ourselves on our commitment to fulfill one of our most basic obligations—to protect the public from crime—only undermines our credibility with the American people. To preserve that credibility, we should all vote in favor of restoring the COPS Program.

Thank you, Mr. President.

Mr. FEINGOLD. Mr. President, I rise today in support of the amendment to restore funding to the Community Policing Program which serves as the cornerstone of the crime law passed last Congress.

Under this program, the Clinton administration has already approved funding to hire and place over 25,000 police officers on American streets. In just over 1 year, they are over a quarter of the way to fulfilling the President's promise of putting 100,000 additional police into cities and towns across this Nation.

It is ironic, and in my estimation, unfortunate, that barely 1 year after President Clinton signed this program into law we are forced to revisit and attempt to preserve a program which the American public, as well as law enforcement across this Nation, strongly support. However, the fact that we must do so, particularly under the guise of an appropriations bill, speaks more clearly about the partisan nature of this debate than it does the merits of community policing.

As has been stated many times previously on this floor, the premise behind community policing is very simple and very sound. When local police agencies increase their physical presence on the streets and in the communities they protect, they not only deter crime, they forge community wide bonds between the police and the citizenry—bonds which will help combat criminal activity.

The Community Policing Program has to date provided funding necessary to place an additional 297 police officers on the streets of cities and towns all across the State of Wisconsin.

The response of Wisconsin law enforcement to this program has not simply come from the large urban centers like Milwaukee, but has also come from rural communities from across the State. In fact, of the 297 additional officers provided to Wisconsin law enforcement a great many, 188 officers, have gone to cities and towns with populations under 50,000.

While the popular misconception may be that crime affects only large inner city neighborhoods, a visit to small towns all across this Nation paints a very different picture. Mr. President, crime does not discriminate based upon population density. It is a problem for everyone in this Nation, regardless of where they live.

The COPS Program recognized the needs of smaller communities and tailored the grant application for communities with populations under 50,000 to one page, so that the limited time and resources of these towns would not be squandered writing grant applications. Doing so is but one example of how the emphasis under this program has, from the very outset, been to get police into communities across this Nation. We should not be too quick to dismiss the value of having a visible law enforcement presence on our streets.

The men and women of law enforcement can and should serve as positive influences, particularly in regard to our young people. The need for this positive voice is even more important than last year at this time, because the legislation we are considering today fails to fund most prevention programs created under the crime bill.

This conscious failure to do so will have, in my opinion, two detrimental effects—one, it will make the job of law enforcement even more difficult than it currently is, and two, it will eliminate many of the positive influences that these prevention programs have on the young people of this Nation.

The failure to fund prevention magnifies the importance of putting the police in the community working to offset the negative influences of drug-dealers and criminals—influences which we all must admit are a day to day part of the lives of many of our young people. To leave these corrupting voices unanswered is a formula for disaster.

As I meet with members of law enforcement from across Wisconsin they

repeatedly extol the value and importance of prevention programs—not just in keeping young people out of trouble, but also in making the job of law enforcement easier. The police of this Nation intuitively understand what this legislation chooses to ignore—you cannot fight crime without prevention.

While it is an abdication of our responsibility to defund prevention programs, the failure to do so only serves to heighten the importance of integrating law enforcement into our communities.

However, the bill before us today chooses a different, and in my view ill-conceived, response—a so-called block grant. Unlike the targeted community policing program, the proposal before us does not promise even one additional police officer will be placed on the streets.

The money provided under the block grant may be utilized for any purpose ranging from prosecutors to secretaries to radios. Not one additional police officer is assured under the block grant. There is no guarantee that any of this money will even filter down to the local police department. While prosecutors clearly play an important role in our criminal justice system, and have my support, they cannot help you until you, or your family, have been victimized. The basis of the COPS Program is to attack crime at the source—on the streets. This program does not fund police to answer phones or work at a desk—it funds cops to work the streets.

The Republican proposal we are asked to accept in its place has no focus, no objectives, and apparently no parameters. It simply allocates billions of dollars to be used for any function which is arguably related to fighting crime.

Past history tells us that programs such as are proposed here today will not work. One need look no further than the LEAA, the Law Enforcement Assistance Administration, for evidence of the potential for abuse.

LEAA poured massive amounts of Federal aid into cities and towns to fight crime. These unchecked funds garnered the citizens of this Nation such prudent crime fighting weapons as encyclopedias on law enforcement, tanks, consultants, and land.

I want to be very clear, Mr. President, as I cross the State of Wisconsin and hear from the fine people of my State, I hear about the need for flexibility in fighting crime. I hear about the need for communities to target community specific problems.

I think we should heed the concerns of the people who live with and fight crime everyday across this Nation. But this need for flexibility should not be a pretext for an open-ended, ill-defined block grant offered solely to undermine a successful program administered by a Democratic administration.

If we are truly concerned about flexibility—if we are truly concerned that the needs in places like Woodruff, WI are different than the needs in Milwaukee, we should fund the rural crime

component of the crime bill. But this legislation fails to do that. If we are truly concerned, we should fund drug courts and prevention programs. But this legislation also fails to fund those proposals.

The crime law contained many facets which could be used to respond to differing needs. And yet, this legislation fails to fund many of them. Furthermore, it eliminates one of the most successful and popular programs, the COPS program, despite the fact that response has been overwhelming.

In addition to the 168 Wisconsin jurisdictions which have already received grants, there are over 100 pending applications from Wisconsin communities requesting funding under the COPS Program. These communities have made the conscious decision that they want more police on their streets. If we abandon this program, these communities will be forced to hope that their proportional block grant allocation is sufficient to cover all their law enforcement needs.

Mr. President, the COPS Program is working. Cities and towns have responded and are working with the Federal Government to put more police officers on American streets. They are doing so because they know that it is a far more effective response to try and stop crimes before they occur. And they know that putting police on the streets, working with the community, is the best way to prevent crime and take back our neighborhoods.

The American public cannot be pleased to see that once again this body is debating a policy which took 6 years of partisan wrangling to develop in the first place. The American public wants us to quit talking and start responding to their needs.

The community policing program does just that. Although it might cause some of my colleagues discomfort, the Clinton administration has developed and is implementing a sound anti-crime strategy which addresses this Nation's needs from many different perspectives. Although I clearly do not agree with each and every portion of the plan, I do support putting 100,000 additional police on our streets.

The ink is barely dry on the crime law, and today we are asked to repeal most of it. This despite the fact that in only 1 year the COPS Program has provided funding for over 25,000 additional police officers.

Mr. President, the American people support this program. The men and women of law enforcement support this program and so should this body. We should not abandon it for the failed promise of an ill-defined block grant. I urge my colleagues to support putting 100,000 police on the streets of this Nation.

Mr. BIDEN. Mr. President, I rise to point out that the most important change in the Commerce-Justice-State appropriations bill just happened in the most quiet of ways. The Senate has just restored the funding for next

year's installment of the 100,000 COPS Program. This important program has already funded 25,891 State and local police officers devoted to community policing. This bill now continues the 100,000 COPS Program.

The program is continued due to the addition of an amendment I offered that eliminated the law enforcement block grant and restored the 100,000 COPS Program. I am gratified that the amendment offered by Senator HOLLINGS and myself has been adopted by the Senate.

Mr. DOMENICI. I rise today in support of the Commerce-Justice-State appropriations bill for fiscal year 1996. The bill is within the subcommittee's 602(b) allocation and is clean of budgetary gimmicks.

The bill provides \$26.5 billion in budget authority and \$18.7 billion in new outlays for the Departments of Commerce, Justice, State, the Judiciary, and related agencies.

The Senate-reported bill is \$1 million below the subcommittee's section 602(b) allocation in budget authority and by \$11 million in outlays. It is \$4.5 billion in budget authority and \$2.8 billion in outlays below the President's request, and is \$1.1 billion in budget authority and \$739 million in outlays below the House-passed bill.

Under very difficult funding constraints, this is a bill that honestly and straightforwardly sets forth funding priorities, most of which I support, some I may redirect in the form of amendments to this bill.

This bill provides dramatic increases in our front line law enforcement by providing \$2.3 billion for State and local law enforcement and \$4.6 billion for Federal law enforcement agencies and the border patrol.

Increased flexibility for States in developing their crime fighting strategy is provided through the new State and Local Law Enforcement Assistance Block Grant. A total of \$1.7 billion will be provided to States and local governments for the hiring and equipping of law enforcement personnel, updated technology, and crime prevention programs.

As part of the Federal role in ensuring equal justice under law, I have offered an amendment, along with Senator KASSEBAUM and others to retain the Legal Services Corporation as a provider of traditional legal services with a funding level of \$340 million for fiscal year 1996, higher than both the Senate-reported and House-passed CJS appropriations bills, and adopting tough new restrictions on its more controversial activities.

I urge my colleagues to support my amendment and adopt this bill.

I ask unanimous consent that a table showing Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMMERCE—JUSTICE SUBCOMMITTEE—SPENDING TOTALS—SENATE-REPORTED BILL

[Fiscal year 1996, dollars in millions]

	Budget authority	Outlays
Defense discretionary:		
Outlays from prior-year BA and other actions completed		92
H.R. 2076, as reported to the Senate	124	94
Scorekeeping adjustment		
Subtotal defense discretionary	124	185
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed		6,561
H.R. 2076, as reported to the Senate	21,935	16,807
Scorekeeping adjustment		
Subtotal nondefense discretionary	21,935	23,368
Violent crime reduction trust fund:		
Outlays from prior-year BA and other actions completed		826
H.R. 2076, as reported to the Senate	3,944	1,277
Scorekeeping adjustment		
Subtotal violent crime reduction trust fund	3,944	2,103
Mandatory:		
Outlays from prior-year BA and other actions completed	2	20
H.R. 2076, as reported to the Senate		
Adjustment to conform mandatory programs with Budget Resolution assumptions	530	505
Subtotal mandatory	532	525
Adjusted bill total	26,535	26,182
Senate Subcommittee 602(b) allocation:		
Defense discretionary	124	188
Nondefense discretionary	21,936	23,373
Violent crime reduction trust fund	3,944	2,107
Mandatory	532	525
Total allocation	26,536	26,193
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary	-1	-3
Nondefense discretionary	-1	-5
Violent crime reduction trust fund		-4
Mandatory		
Total allocation	-1	-11

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

SBA MICROLOAN PROGRAM

Mr. WELLSTONE. Mr. President, as a member of the Small Business Committee, I thank the managers and Chairman HATFIELD for improving the Small Business Administration portion of this bill. I would like to talk briefly about the SBA Microloan Program.

The Microloan Program has been a remarkable success in its short existence. It was the first small-business bill I cosponsored when I got to the Senate, and I am very proud to have worked on it with Senator BUMPERS, who authored the legislation, from the beginning. As a member of the Senate Small Business Committee, and in the course of a number of visits with program participants in Minnesota, I have been extremely impressed by the firsthand accounts I have heard. The program is working, and the owners of the very small businesses which are its beneficiaries in many cases have absolutely inspiring stories to tell.

SBA's Microloan Program assists women, low-income, and minority small business owners with very small loans—loans averaging just over \$10,000. These are generally very small businesses, and they are very small loans. In many cases, these loans actually have helped individuals to leave welfare, to start their own small businesses, and to make a full economic

contribution to their communities. I am sure that many of my colleagues have heard from or visited with participants in this program from their States.

In my State of Minnesota, for example, we have four intermediary lending organizations making small loans to small businesses and providing technical assistance.

The Northeast Entrepreneur Fund of Virginia, MN, has made approximately \$218,000 in loans to 56 very small entrepreneurs. That's an average loan size of less than \$4,000. In many cases, that's all people need to get on their feet, to start or expand their very small business and allow it to succeed.

The Northwest Minnesota Initiative Fund in Bemidji, MN, assists mainly rural small businesses. Average loan size is just over \$5,000, and the default rate is about 10 percent. Staff from the initiative fund point out that their default rate would be even lower, but in many cases they provide technical assistance to the point where the small business clients can get bank financing. The fund then ends up financing some of the riskier operations. Still, the program has helped start 56 new businesses, with a success rate of about 90 percent.

Women Venture of St. Paul, MN, was one of the models for this legislation. They have made loans to 55 small businesses in the amount of \$581,000. Eighty-seven percent of the businesses served by Women Venture are owned by women. Twenty-five percent are owned by people of color.

Finally, the Minneapolis Consortium of Community Developers has helped 32 very small businesses with loans in amounts ranging from \$4,000 to \$25,000. I have visited with some of these business owners in their places of business. It is a remarkable program. Staff from the consortium have pointed out to me that they provide an average of about 26 hours of technical assistance to each small business client.

I would like at this time to enter into a colloquy with a number of my colleagues concerning the Microloan Program.

Mr. HARKIN. Mr. President, I thank Senator WELLSTONE for his leadership in this area. The SBA Microloan Program really works. It's the most effective welfare to work program we've got. It turns welfare dependents into taxpaying small business people.

The Institute for Social and Economic Development in my State of Iowa has been a pioneer in promoting microloans. This organization headed by John Else works with individuals, helping them establish their own businesses. The institute works with them to determine if a concept to establish a business is sound. If so, they help the client establish a sound business plan, teaching them the many skills that are necessary to be successful in a small business. And, they work with the person to secure a loan through a bank or other financial institution. This is

time intensive work. But, without this technical assistance, there is no way microloans will produce significant success. Most microloan intermediaries use SBA financing to provide direct loans. In either case, the program really works.

I have personally met with a number of people who have used the program. In many cases, they were on AFDC, food stamps, and other Federal assistance when they started. Now, they are operating successful businesses, making a decent living and paying taxes rather than receiving welfare benefits. Through this program, they have been able to turn their lives around. When we talk about helping people get off welfare, this is a mechanism that really works.

I believe that technical assistance for this program deserves to be fully funded.

EDA AND THE PRIVATE SECTOR: PUTTING AMERICA TO WORK

Mr. DASCHLE. Mr. President, I strongly support the amendment that has been offered by Senator PRYOR. Like Arkansas, south Dakota is a rural State that has faced the challenge of rebuilding distressed communities and stemming the tide of outward migration. I support the Pryor amendment for a number of reasons.

Senator PRYOR's amendment is reasonable and prudent. We recognize the need for spending cuts to meet deficit reduction targets. Senator PRYOR's amendment simply asks the Senate to support the House's funding level of \$348.5 million, a 22 percent cut from fiscal year 1995.

Second, EDA has proven to be a solid investment over the years. EDA grants have resulted in the creation or retention of 2.8 million jobs in the Nation's most distressed areas, areas where, quite frankly, the private sector was not creating jobs.

In fact, EDA resources are used as a catalyst to leverage private sector investments, which turn into long-term growth. EDA has demonstrated a remarkable ability to attract private sector capital. In the last 30 years, for every Federal dollar invested, more than \$3 in outside investment has been leveraged.

The third reason to support this amendment is because many of the Nation's smaller counties and communities rely on EDA help for local planning efforts. In South Dakota, a number of the smaller communities cannot afford a full-time economic development director. In many instances, these are the communities that need the most help. EDA funding has allowed local planning districts to travel to small towns across rural America, identify local leaders, and help them execute plans for infrastructure development or industrial recruitment.

Finally, EDA has taken steps to reduce bureaucratic overhead without sacrificing customer service. In 1994, overhead at EDA was just 4.6 percent. Regulations in the Federal Register

have been cut by 60 percent. EDA has delegated more responsibility to its regional offices. And, EDA will be reducing its staff from 350 people to 309 in fiscal year 1996.

Mr. President, the budget resolution and 13 appropriations bills we have been considering in recent weeks have forced the Senate to make hard choices about what our country's priorities should be. If our current budget can include \$245 billion in tax cuts for the wealthy, why can it not include another \$249 million for EDA? Let us be clear—Senator PRYOR's amendment requests that the Senate support a Federal investment that is less than 2 percent of what is being set aside for this country's top income earners.

Is providing tax relief for this group 100 times more important than helping distressed communities battling base closures, defense downsizings, and depressed prices for commodities? Are tax cuts for the wealthy 100 times more important than creating 2.8 million jobs, keeping people off unemployment lines and out of welfare offices?

While our colleagues on the other side of the aisle point to a decline in values, they are missing the point. Strong values are built on the self-respect and economic stability that come with a good job. A strong sense of community is fostered by shared economic hope for the future. There is no greater sense of values and community than in the rural areas of South Dakota. These towns are hungry to innovate and adapt to the changing economy. They are deeply committed to making economic development projects work so they can preserve their way of life.

EDA gives us the efficient investment tools to help communities make this happen. And it does so while paying its own way. Taxes received by the Federal Government from EDA investments exceed Federal funds provided to the agency.

Our vote today on the Pryor amendment will reflect this body's priorities. Do we cut EDA funding to pay for tax cuts? Or do we invest in our future wisely and give distressed communities the tools they need to put more Americans to work.

Mr. President, EDA is the right priority, and it works. I urge my colleagues to support the Pryor amendment.

ZEBCA MUSSEL

Mr. LEAHY. Mr. President, I want to thank Senators GRAMM, HOLLINGS and LEVIN for working with me to find an appropriate solution to the zebra mussel problem that has overtaken the Great Lakes and Lake Champlain. I hope Senators HOLLINGS and LEVIN can join me in a brief colloquy on the Hollings-Levin-Leahy amendment.

For Senators who may not be familiar with the zebra mussel, I want to briefly describe the challenge facing the State of Vermont. Zebra mussels, which are tiny, fresh-water mollusks the size of my thumbnail, threaten to choke off 25 percent of Vermont's

drinking water, clog our hatcheries and unravel the Lake Champlain ecosystem.

We did not ask for the mussels, but we got them. I was scuba diving in Lake Champlain this summer and was shocked to find mussels taking over the lake bottom, historic ship wrecks included. Three years ago we had no zebra mussels—this summer I found mussels by the handful.

The zebra mussel problem in Lake Champlain deserves immediate and swift action. This pest poses a serious risk to the water resources throughout Vermont, economic opportunities along the lake, and the health and safety of Vermonters. In the not-so-distant future, some Vermonters may turn on their taps to find nothing flowing, as these mussels have blocked water intakes and delivery systems up and down the shoreline.

The biggest hurdle our States face is the fact that there is no proven control technology. It is like the State of Vermont looking for a solution to cancer—by itself. The Hollings-Levin-Leahy amendment provides a modest contribution of Federal assistance that will help address the zebra mussel problem.

My understanding is that this amendment includes \$100,000 specifically for Vermont to tackle the problem. Our State Legislature has appropriated millions of dollars to address the problem, and this token of Federal support will make a big difference.

Mr. LEVIN. The Senator from Vermont has been very supportive of our efforts to clean up the Great Lakes and is correct about this amendment. We know first hand the challenge Vermont faces. The Great Lakes research and control efforts have benefited Lake Champlain, and we expect the Lake Champlain efforts funded in this amendment to benefit the Great Lakes.

Mr. HOLLINGS. I agree with both the Senator from Vermont and the Senator from Michigan. They have worked hard on this amendment to address a problem of true national concern and scope.

Mr. LEAHY. I want to thank the Senator from South Carolina for his leadership on this bill, and the Senator from Michigan for his long standing commitment to the Great Lakes and to freshwater issues like the Zebra mussel.

Mr. GRAMM. Mr. President, I believe now we are ready for third reading.

The bill was ordered to be engrossed for a third time and was read the third time.

The PRESIDING OFFICER. Is there further debate? If not, the question is, Shall the bill pass?

So the bill (H.R. 2076), as amended, was passed.

Mr. GRAMM. I move to reconsider the vote.

Mr. HOLLINGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRAMM. I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes of the two Houses.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. COVERDELL. Mr. President, on behalf of the city of Smyrna, GA, and its outstanding Mayor Max Bacon, I rise to commend the Senate—and especially Senator GRAMM—for helping Smyrna and the entire Atlanta area in its efforts to deal with the transportation of illegal immigrants once they have been detained.

By increasing by \$12.3 million the portion of the Immigration and Naturalization Service budget for fiscal year 1996 which deals with the transportation of detained illegals, the Commerce, Justice, and State appropriations bill will go a long way toward more effectively enforcing our immigration laws.

In the city of Smyrna—as in many across the country—illegal immigrants are placing an enormous burden on legal residents, who are facing rising taxes due to the increased costs of providing health services and educational programs, in addition to the loss of jobs.

In the Atlanta area, we have been concerned with the lack of vehicles available for the transportation of detained illegals. The city of Smyrna is optimistic that an influx of new buses and vehicles will help the INS be even more effective in removing illegal immigrants and transporting them to the proper authorities. Again, I commend my Senate colleagues for their wisdom, and extend my gratitude on behalf of Smyrna's Mayor Bacon.

MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RIGHT TRACK

Mr. WARNER. Mr. President, I rise today to once again express my concerns about the so-called "train wreck" that might occur if there is a lapse in appropriations authority beyond the Continuing Resolution we will be approving today or tomorrow.

While some have proclaimed it would be "no big deal" if government shut down, there are many, including me, who think this kind of reasoning is wrong.

By approving a continuing resolution (CR), we are acting responsibly and avoiding unnecessary and costly furloughs. The CR gives us time to pass all of our appropriations bills and helps provide for real deficit reduction.

But, if we continue to play politics with government employees and the

American people on this issue, we are only hurting ourselves and the image of Congress. Those who encourage a shutdown proclaim themselves to be deficit and spending hawks.

Mr. President, in 1990, we had our last furlough. It happened over the Columbus Day Weekend. As a result, several members of Congress asked the General Accounting Office [GAO] to examine the taxpayer costs of that shutdown. The GAO found that of the 22 executive branch agencies surveyed, seven reported significant shutdown costs totaling about \$3.4 million.

Moreover, the GAO examined a hypothetical three-day shutdown during a normal workweek. The costs of this scenario would range from \$244.6 million to \$607.3 million.

It is foolhardy to think a shutdown is good for America. The 1994 elections, which gave Republicans majorities in both Houses of Congress, sent a clear message to Washington, DC. The message was: "We are sick and tired of Congress doing business as usual. Stop the bickering and get the job done."

I applaud the Republican leadership in the House and here in the Senate. We are changing the way government does business. We are, however, doing "business as usual" when we play politics and appear cavalier in attitude towards our Federal employees—both civilian and military.

Mr. President, I am the sponsor of S. 1246, a bill that would insure that Federal employees who work or are furloughed during a shutdown will automatically be paid as soon as the appropriations bill funding their salary is enacted.

I have also vowed not to accept a paycheck if a shutdown occurs. Like the men and women of the armed services and the civil service, all of us are employees of the American people. If the government shuts down in November after the CR expires, or because we fail to agree on a measure to raise the nation's debt ceiling, I believe that the Congress should be denied compensation as well.

In conclusion, Mr. President, let me say that I believe the American people are looking to us Republicans to lead this country and to make their Federal government more responsive and less burdensome. We have weathered some tough storms in the Senate, but we are making progress as evidenced by passage of the unprecedented reform of the country's broken down welfare system. The American public, including the people in my State, are proud of our achievements. Republicans are moving in the right direction, and we are changing the way government governs. We are not posturing, we are working.

I say to my colleagues on both sides of the aisle, the American people are fed up with blustering and posturing. The American people are sick and tired of hearing about a "train wreck." They have heard these same arguments year after year. I say to my colleagues, get our appropriations bill passed before the continuing resolution expires.